

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:24-cv-00255

**Scotty Bridges,**  
*Plaintiff,*

v.

**Warden of George Beto I,**  
*Defendant.*

**ORDER**

Plaintiff Scotty Bridges, a prisoner of the Texas Department of Criminal Justice proceeding pro se, filed this civil action complaining of alleged deprivations of his constitutional rights. The case was originally filed in the Lufkin Division of the Eastern District of Texas. Plaintiff's claim against the warden of the Beto Unit was severed and transferred to the Tyler Division. Docs. 1, 4. The case was referred to a magistrate judge pursuant to 28 U.S.C. § 636(b).

On January 22, 2025, the magistrate judge ordered plaintiff to file an amended complaint setting out a short and plain statement of his claims against the warden. Doc. 5 at 2. In his letter to the court, plaintiff expressly refused to comply with this order. Doc. 7. That letter included additional details about his claim, told the court to "do what you want," and asked for a "fair settlement." *Id.*

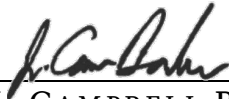
The magistrate judge reviewed plaintiff's original pleading as well as his letter. Upon such review, the magistrate judge issued a report and recommendation that plaintiff's lawsuit be dismissed without prejudice as frivolous and for failure to state a claim upon which relief may be granted. Doc. 8. Plaintiff received a copy of this report on March 11, 2025, and has not filed objections. Doc. 9.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for

clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. However, the court departs from the magistrate judge's recommendation of dismissal without prejudice. *See Csorba v. Varo, Inc.*, 58 F.3d 636, at \*1 n.2 (5th Cir. 1995) (unpublished) (citing *Hitt v. City of Pasadena*, 561 F.2d 606, 608 (5th Cir. 1977)) (noting that normally dismissals pursuant to Rule 12(b)(6) "are dismissals on the merits and so should be dismissed with prejudice").

Instead, plaintiff's lawsuit is dismissed *with* prejudice as frivolous and for failure to state a claim upon which relief may be granted. Any pending motions are denied as moot.

*So ordered by the court on May 9, 2025.*

  
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J. CAMPBELL BARKER  
United States District Judge